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Message Text

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PAGE 01 ABIDJA 06394 071506Z

73
ACTION AF-18

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 IO-14 DRC-01 /109 W
---------- 123794
R 071033Z AUG 74
FM AMEMBASSY ABIDJAN
TO SECSTATE WASHDC 9761
INFO AMEMBASSY ACCRA
AMEMBASSY CONAKRY
AMEMBASSY COTONOU
AMEMBASSY MONROVIA
AMEMBASSY NIAMEY
OUAGADOUGOU 3017

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E.O. 11652:N/A
TAGS: PGOV, IV
SUBJECT: IVORY COAST CRACKS DOWN ON URBAN CRIME

SUMMARY: THE NATIONAL ASSEMBLY OF IVORY COAST WAS CALLED INTO AN EXTRAORDINARY SESSION AUGUST 5 AND 6 TO AMEND THE CRIMINAL CODE AND THE CODE OF CRIMINAL PROCEDURE OF IVORY COAST, TO PROVIDE FOR QUICKER PROCESSING AND HEAVIER PENALTIES FOR LARCENY, "BANDITRY" AND ASSOCIATED CRIMES. THE AMENDMENTS WERE ADOPTED UNANIMOUSLY ON AUGUST 6 AND ARE RECEIVING WIDE PUBLICITY IN ALL THE MEDIA. THE AMENDMENTS SEEM RETROGRESSIVE IN THAT THEY APPEAR TO RE-INTRODUCE THE CHAIN GANG.

1. ABIDJAN, LIKE OTHER CAPITALS OF DEVELOPING COUNTRIES, IS IMPACTED WITH TENS OF THOUSANDS OF UNEMPLOYED RURAL MIGRANTS, BOTH IVORIAN AND FOREIGN AFRICAN, THEFT AND ROBBERY, INCLUDING GANG ROBBERY (HERE CALLED BANDITISM OR BANDITRY) HAVE BECOME SERIOUS CONCERNS FOR RESIDENTS AND POLICE. THE LOCAL MEDIA HAVE BEEN GIVING RATHER HEAVY COVERAGE TO STREET CRIMES IN RECENT WEEKS.
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PAGE 02 ABIDJA 06394 071506Z

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

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2. ON SATURDAY AUGUST 3 THE PRESIDENT MET WITH THE CABINET OF MINISTERS AND DECIDED THAT EXTRAORDINARY MEASURES HAD TO BE TAKEN. THE NATIONAL ASSEMBLY WHICH WAS IN RECESS WAS CALLED INTO EXTRA-ORDINARY SESSION ON AUGUST 5 AND WAS PRESENTED WITH A LIST OF AMENDMENTS TO THE CRIMINAL CODE AND THE CODE OF CRIMINAL PROCEDURE. THE AMENDMENTS WERE CONSIDERED ON AUGUST 5 BY A COMMITTEE OF THE WHOLE HOUSE AND WERE ADOPTED UNANIMOUSLY ON AUGUST 6.

3. AS PUBLISHED SO FAR THE AMENDMENTS INCLUDE:

(A) IMPRISONMENT FOR FIVE TO TEN YEARS FOR ANY LARCENY.

(B) IMPRISONMENT FOR TEN TO TWENTY YEARS IF THE LARCENY IS COMMITTED WITH VIOLENCE, JOINTLY BY TWO OR MORE PERSONS, THROUGH THE USE OF FALSE UNIFORMS OR BY USE OF MASKS; ETC.

(C) THE MAXIMUM PENALTY BECOMES OBLIGATORY IF THE ABOVE CRIMES ARE COMMITTED AT NIGHT OR IF THEY INVOLVE THREE OF THE ELEMENTS CITED ABOVE OR IF THE PERPETUATOR IS ARMED, USES FORCE OR IS FOUND TO PROCESS NARCOTICS.

(D) RECEIVERS OF STOLEN GOODS WILL BE IMPRISONED FROM FIVE TO TEN YEARS.

4. THE AMENDMENTS TO THE CODE OF CRIMINAL PROCEDURE HAVE NOT YET BEEN SPELLED OUT AND ARE ONLY CITED AS ARTICLES OF THE CRIMINAL PROCEDURE WHICH WILL NOT APPLY IN THE ARREST, TRIAL AND IMPRISONMENT OF URBAN CRIMINALS. IT IS NOTED THAT FORCED LABOR OF CHAIN GANGS IS RE-INTRODUCED EVEN THOUGH IT IS ACKNOWLEDGED IN THE PRESS THAT THIS

IS AN ABHORRENT PROCEDURE IN THE FORMER COLONIAL STATES. IT IS FEARED THAT OTHER CIVIL RIGHTS WILL ALSO BE ABROGATED BY THESE AMENDMENTS.

COMMENT: ONE OF THE PRINCIPAL REASONS FOR THE SEVERITY OF THE NEW CRIMINAL LEGISLATION IS THE BELIEF WHICH IS WIDELY HELD HERE THAT ESSENTIALLY ALL ABIDJAN'S CRIMINALS ARE NON-IVORIAN, I.E., UPPER VOLTANS, GUINEANS AND OTHER NEIGHBORING AFRICANS. WE THINK THIS IS FALSE NOTION BUT THAT IT WAS A PRIME CONSIDERATION BEHIND THE NEW LEGISLATION.
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Decaption Date: 01 JAN 1960
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EO Systematic Review
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Subject: IVORY COAST CRACKS DOWN ON URBAN CRIME SUMMARY: THE NATIONAL ASSEMBLY OF IVORY COAST WAS CALLED INTO AN
TAGS: PGOV, PORS, IV
To: STATE
Type: TE
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